

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
M2Z NETWORKS, INC.)	
)	
Application for License and Authority to)	
Provide National Broadband Radio Service)	
In the 2155-2175 MHz Band)	WT Docket No. 07-16
)	
Petition for Forbearance Under)	
47 U.S.C. § 160(c) Concerning Application)	
Of Sections 1.945(b) and (c) of the)	
Commission's Rules and Other Regulatory)	
And Statutory Provisions)	
To:		Chief, Wireless Telecommunications Bureau

MOTION FOR LEAVE TO FILE A CONSOLIDATED OPPOSITION

Pursuant to Section 1.41 of the rules of the Federal Communications Commission ("FCC" or "Commission"),¹ M2Z Networks, Inc. ("M2Z") respectfully requests that the Wireless Telecommunications Bureau ("Bureau") permit the filing of a consolidated opposition to any petitions to deny, comments, or other initial pleadings that may be filed in this proceeding. Permitting a consolidated response will reduce administrative burdens for the Bureau and parties to this proceeding.

On January 31, 2007, the Bureau released a Public Notice ("Public Notice") announcing that M2Z's Application for License and Authority to Provide National Broadband Radio Service in the 2155-2175 MHz Band ("Application") was accepted for filing.² Although the Public

¹ 47 C.F.R. § 1.41.

² See "Wireless Telecommunications Bureau Announces that M2Z Networks Inc.'s Application for License and Authority to Provide a National Broadband Radio Service in the 2155-2175 MHz Band Is

Notice does not establish a pleading cycle for this proceeding,³ the Commission's rules provide that petitions to deny an application subject to such petitions under Section 309(d) of the Communications Act of 1934, as amended, must be filed no later than thirty days after the date of the public notice listing the application as accepted for filing.⁴ In this case, the deadline for filing petitions is March 2, 2007. Oppositions to such petitions to deny may be filed no later than ten days after the original petition or other pleading is filed.⁵

Parties may file petitions to deny, comments, or other pleadings at any time during the 30-day filing window (*i.e.*, until March 2, 2007).⁶ The filing of such pleadings *before* the end of the 30-day period would, however, trigger a series of staggered deadlines for the filing of oppositions to such petitions to deny.⁷ M2Z is therefore filing this motion for leave to file, no earlier than ten days after the close of the 30-day window established by the rules, a consolidated response to any initial pleadings on the merits of the Application which may be filed.

Good cause exists for granting this Motion. A consolidated opposition will permit M2Z to organize its responses logically and comprehensively and eliminate duplication or repetitious treatment of overlapping issues. A consolidated opposition from M2Z also will enable the Bureau to analyze the issues raised in this proceeding more quickly and minimize the burden on

Accepted for Filing," Public Notice, WT Docket No. 07-16, DA 07-492 (rel. Jan. 31, 2007) ("Public Notice").

³ *See id.*

⁴ *See* 47 C.F.R. § 1.939(a)(2).

⁵ *See* 47 C.F.R. §§ 1.45(b) & 1.939(f).

⁶ M2Z recognizes that some pleadings may be late-filed. M2Z plans to respond to any late-filed pleadings in a manner that facilitates the Commission's orderly disposition of the issues in this proceeding.

⁷ For example, if petitions to deny were filed on February 14, February 20, and March 2, and each petition were served via hand delivery, M2Z would be required to respond to these pleadings on three separate dates: February 26, March 2, and March 12. This would, in turn establish a variety of deadlines for the filing of replies to oppositions to petitions to deny.

the Bureau and other interested parties by reducing the quantity of paperwork filed. The Bureau has previously recognized the value of these benefits in granting other requests associated with the filing of consolidated responsive pleadings.⁸

The public interest is advanced when the Commission has a clear record that reflects the best advocacy of all parties. Accordingly, in the interests facilitating the analysis of the issues in this proceeding, minimizing duplicative filings, and maintaining a complete and accurate record, M2Z respectfully requests leave to file a single, consolidated opposition to any petitions to deny which may be filed in this proceeding.

Respectfully submitted,

M2Z NETWORKS, INC.

By: /s/

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February 14, 2007

⁸ See, e.g., *Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands*, Order, 21 FCC Rcd 8731, ¶ 4 (WTB 2006) (“We find that filing consolidated oppositions and replies would be more efficient for interested parties and the Commission staff and would enable the issues to be analyzed more quickly.”); *Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands*, Order, 20 FCC Rcd 1606, ¶ 5 (WTB 2005) (“We agree that permitting interested parties to . . . file consolidated oppositions and replies instead of individual oppositions and replies would not only reduce the amount of paper filed, but would also assist Commission staff in analyzing the issues.”).